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In the Supreme Court of the United States

OCTOBER TERM, 1944.

No. 1034.

MILTON M. KRAMER,
WALLACE FLOYD NELSON,
JOHN ELLIOTT MAGRAW,
LOREN ELMER TESDELL,
JOSEPH GUINN,
JAMES WERNER BRISTAH,
Petitioners,

vs.

THE UNITED STATES OF AMERICA,
Respondent.

On Petition for Writ of Certiorari
To the United States Circuit Court of Appeals,
For the Sixth Circuit.

REPLY BRIEF TO THE MEMORANDUM BRIEF OF THE UNITED STATES OF AMERICA.

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Respondent.

REPLY BRIEF TO THE MEMORANDUM BRIEF OF THE UNITED STATES OF AMERICA.

Attorneys for the United States of America urge that the petition for writ of certiorari be denied on the authority of *Gormley vs. United States*, No. 220, 320 U. S. 753, and *Roodenko vs. United States*, No. 947, decided March 26, 1945.

In the *Gormley* case petitioner, a conscientious objector, refused to report for induction and in the *Roodenko* case petitioner went on a hunger strike and refused to work. We do not claim that the federal rules and regulations relating to conscientious objectors so far as they require them to report for work or to perform work of national importance are unauthorized by the Act of Congress, or that they are in violation of any provision of the United States Constitution. But in the case before the Court, the specific act for which petitioners were indicted, tried and convicted was going out of camp without permission. The federal regulation requiring conscientious objectors to remain in camp night and day was contrary to the Act of Congress and violated the provisions of the United States Constitution as pointed out in petitioners' brief.

We respectfully submit that the above two cases upon which attorneys for the United States of America claim

that the petition for writ of certiorari should be denied are not in point and that the petition before this Court should be granted.

JOHN A. CHAMBERLAIN,
Attorney for Petitioners.